



**THE CITY OF NEW YORK**  
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October 19, 2017

**BY ECF**

Honorable Cheryl L. Pollak  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Nchewi Akpoke et al. v. City of New York, et al.,  
15-CV-6960 (ILG) (CLP)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department handling the defense of the above-referenced matter on behalf of Defendants City of New York, Police Officer Robert Hesterhagen, Police Officer Daniel Golat, and Sergeant Michael Dicecco. In that capacity, I write with the consent of plaintiff's counsel, Ryan Lozar, Esq., to respectfully request a one week extension of time, from October 23, 2017 until October 30, 2017, within which Defendants may file their Reply in support of their motion for summary judgment.

By way of background, on June 26, 2017, the Court endorsed the following briefing schedule: Defendants to serve their papers by September 1, 2017, plaintiff's opposition due by October 2, 2017, and Defendants' reply due by October 23, 2017. Defendants filed their motion for summary judgment on August 31, 2017. Plaintiff filed his opposition on October 3, 2017, under partial seal, without providing the sealed portions to Defendants. On October 6, 2017, plaintiff provided Defendants with a copy of the portions which had been filed under seal.

The undersigned has been working diligently on the reply, but an extra week is necessary in order to finalize Defendants' reply papers.

In view of the foregoing, Defendants respectfully request an extension of time to submit their reply from October 23, 2017 until October 30, 2017. Thank you for your consideration.

Respectfully submitted,

/s/

Evan Brustein  
Senior Counsel  
Special Federal Litigation Division

cc: Ryan Lozar, Esq. (By ECF)  
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